

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY

1. **Title and its heading:** Title 6, Economic Security
Chapter and its heading: Chapter 16, Department of Economic Security - Arizona Fingerprint Imaging Project
Article and its heading: 1, General Provisions
2, Fingerprint Imaging Requirements
3, Fingerprint Imaging Exemptions
4, Appeals
(Additional Articles may be developed at a later time.)

Section numbers: R6-16-101 through R6-16-111; R6-16-201 through R6-16-203; R6-16-301 and R6-16-302;
and R6-16-401
(Additional Sections may be developed at a later time.)
2. **The subject matter of the proposed rule:**
In 1996, the Arizona Legislature passed HB 2516 which mandates that all adults and eligible minor parents applying for or receiving Cash Assistance, Food Stamps, General Assistance, or benefits under the Arizona Works program must provide fingerprint images. This also includes those individuals who are part of the assistance unit but whose needs are not included in the program payment due to failing to meet program requirements.

The bill requires the Department of Economic Security to adopt rules for the implementation of Fingerprint Imaging. A.R.S. § 46-217(D). Accordingly, the Department will adopt a comprehensive set of rules to implement Fingerprint Imaging statewide.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Sarah Youngblood
Address: Department of Economic Security
1789 W. Jefferson, Site Code 837A
Phoenix, Arizona 85007
Telephone: (602) 542-6555
Fax: (602) 542-6000
E-mail: vosy5619@de.state.az.us
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
The Department will accept written comments from now until the close of record, which has not yet been scheduled. Written comments should be addressed to the person listed in question #4. The Department will schedule oral proceedings at the time of filing the Notice of Proposed Rulemaking.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
The Department expects to file a Notice of Proposed Rulemaking by December 1998. The Department will conduct public hearings on the proposed rules approximately 1 month after publication of the Notice of Proposed Rulemaking in the *Arizona Administrative Register*. The Department will then close the record and proceed to the Governor's Regulatory Review Council as expeditiously as possible.

NOTICE OF RULEMAKING DOCKET OPENING

CORPORATION COMMISSION SECURITIES DIVISION

1. **Title and its heading:** Title 14, Public Service Corporations; Corporations and Associations; Securities Regulation
Chapter and its heading: Chapter 4, Corporation Commission - Securities

Notices of Rulemaking Docket Openings

Article and its heading: Article 1, In General Relating to the Arizona Securities Act
Section numbers: R14-4-101, R14-4-102, R14-4-116, R14-4-127, R14-4-133, R14-4-134, R14-4-141, R14-4-144.

2. Subject matter of proposed rules:

The proposed amendments to Sections R14-4-101, R14-4-102, R14-4-127, R14-4-133, R14-4-134, R14-4-141, and R14-4-144 are technical and include changes in format and language to comply with requirements of the Office of the Secretary of State, the addition of cross references to statutory fee requirements, and the addition of language to clarify the intent of the rules. The proposed repeal of R14-4-116 is based on the fact that the rule is both incomplete regarding the availability of records to the public and unnecessary.

R14-4-101 provides an exemption from registration of securities offered and sold exclusively to existing stockholders and employees. R14-4-102 provides an exemption from registration of securities offered and sold within or from this state to not more than 10 persons. R14-4-116 provides that prospectuses that have an effective registration date are available for public inspection at the offices of the Corporation Commission. R14-4-127 provides guidelines for a petition requesting an exemption from registration of securities filed pursuant to A.R.S. § 44-1846. Section number R14-4-133 defines the terms partners and executive officers as used on the definition of salesman contained in A.R.S. § 44-1801. Section number R14-4-134 provides guidelines for an application for registration of securities filed pursuant to A.R.S. § 44-1902. Section R14-4-141 provides an exemption from registration of securities for offers, but not sales, that are made according to the terms of R14-4-141. R14-4-144 provides an issuer engaging in a transaction of a type specified in A.R.S. § 44-1845(B)(1) with a procedure to obtain a special registration, consisting of the imposition of suitability standards in lieu of standards prescribed by specific statutes.

Agency docket number: RS-00000A-98-0625.

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Cheryl T. Farson, Associate General Counsel
 Address: Arizona Corporation Commission, Securities Division
 1300 W. Washington, Third Floor
 Phoenix, Arizona 85007
 Telephone: (602) 542-4242
 Fax: (602) 594-7470

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

Monday - Friday, 8 a.m. - 5 p.m. at the Securities Division as noted in question #4. No hearing date has been set.

6. A timetable for agency decisions or other action on the proceeding, if known:

The Securities Division plans to submit a Notice of Proposed Rulemaking in February 1999.

NOTICE OF RULEMAKING DOCKET OPENING

**ARIZONA DEPARTMENT OF TRANSPORTATION
 MOTOR VEHICLE DIVISION**

1. Title and its heading: Title 17, Transportation
Chapter and its heading: Chapter 4, Department of Transportation - Motor Vehicle Division
Article and its heading: 4, Motor Carriers
Section numbers: R17-4-435, R17-4-435.01, R17-4-435.02, R17-4-435.03, R17-4-435.04, R17-4-435.05

2. Subject matter of the proposed rule:

R17-4-435 through R17-4-435.05 amends the current rules by incorporating 49 CFR 40, 49CFR 382, 49 CFR 390, 49 CFR 391, 49 CFR 392, 49 CFR 393, 49 CFR 395, 49 CFR 396, 49 CFR 397 and 49 CFR 399 published October 1, 1998.

3. A citation to all published notices relating to the proceeding:

None.

4. The name and address of agency personnel to whom persons may communicate regarding the rule:

Name: Glenn C. Johnson
 Address: Department of Transportation
 4747 North Seventh Avenue, Third Floor
 Phoenix, Arizona 85013-2401
 Telephone: (602) 255-7737
 Fax: (602) 241-1624

Arizona Administrative Register
Notices of Rulemaking Docket Openings

5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written and oral comments can be made Monday through Friday, 8 a.m. and 5 p.m., until the close of the record at the location listed in question #4.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
To be determined.

NOTICE OF RULEMAKING DOCKET OPENING

ARIZONA RACING COMMISSION

1. **Title and its heading:** 19, Alcohol, Horse and Dog Racing, Lottery, and Gaming
Chapter and its heading: 2, Arizona Racing Commission
Articles and its headings: 4, Teletracking
5, Pari Mutuel Wagering
Section numbers: R19-2-401, R19-2-403, R19-2-521, and R19-2-522
2. **The subject matter of the proposed rule:**
The proposed amendments will modify existing Teletracking and Pari Mutuel rules regarding the continuation of betting subsequent to the loss of a video signal.
3. **A citation to all published notices relating to the proceeding:**
None.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Dasha Marush
Address: Arizona Department of Racing
3877 N. 7th Street, Suite #201
Phoenix, Arizona 85014
Telephone: (602) 277-1704
Fax: (602) 277-1165
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Not applicable. No oral proceedings have been scheduled.
6. **A timetable for agency decisions or other action on the proceeding, if known:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF INSURANCE

1. **Title and its heading:** Title 20, Commerce, Banking, and Insurance
Chapter and its heading: Chapter 6, Department of Insurance
Articles and their headings: Article 14, Insurance Holding Company
Section numbers: R20-6-1401, R20-6-1402, R20-6-1403, R20-6-1404, R20-6-1407, R20-6-1409, R20-6-1410, Appendix A, Appendix B, Appendix C, Appendix D, Appendix E (*Section numbers may be added, deleted, or modified at a later time*)
2. **Subject matter of the proposed rule:**
The Department is revising the forms and filing instructions for insurance holding companies to eliminate the appendices and to list the information required on department forms. The rulemaking will also modify some of the requirements for biographical affidavits and notices of changes in previously filed information.
3. **A citation to all published notices relating to the proceeding:**
No previous publications.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Vista Thompson Brown
Address: Arizona Department of Insurance
2910 N. 44th Street, Suite 210
Phoenix, Arizona 85018
Telephone: (602) 912-8456
Fax: (602) 912-8452

Arizona Administrative Register
Notices of Rulemaking Docket Openings

5. The time during which written submission may be made, and the time and place where oral comments may be made:
The Department invites and will accept written comment during regular business hours at the address listed in question #4 from now until the close of the record, which has not yet been scheduled.
6. A timetable for agency decisions or other action in the proceeding:
The Department expects to propose these rules by December of 1998.